

House Bill 1426

By: Representatives Benfield of the 85<sup>th</sup> and Stephens of the 164<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages,  
2 so as to amend general provisions regarding alcoholic beverages; to provide for definitions;  
3 to change qualifications regarding brewpubs; to provide for related matters; to repeal  
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, is  
8 amended by revising paragraph (3) of Code Section 3-1-2, relating to definitions, as follows:

9 "(3) 'Brewpub' means any eating establishment in which beer or malt beverages are  
10 manufactured or brewed, subject to the barrel production limitation prescribed in Code  
11 Section 3-5-36 for retail consumption on the premises and solely in draft form. As used  
12 in this article, the term 'eating establishment' means an establishment which is licensed  
13 to sell distilled spirits, malt beverages, or wines and which derives at least 50 percent of  
14 its total annual gross food and beverage sales from the sale of prepared meals or food;  
15 provided, however, that such 50 percent of annual gross shall not include barrels of beer  
16 sold to licensed wholesale dealers for distribution to retailers and retail consumption  
17 dealers."

18 **SECTION 2.**

19 Said title is further amended by revising subparagraph (C) of paragraph (2) of Code Section  
20 3-5-36, relating to the brewpub exception to the three-tier distribution system, as follows:

21 "(C) Notwithstanding any other provision of this paragraph, sell up to a maximum of  
22 ~~500~~ 5000 barrels annually of such beer to licensed wholesale dealers for distribution to  
23 retailers and retail consumption dealers;"

24

**SECTION 3.**

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All laws and parts of laws in conflict with this Act are repealed.